

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Review of the Emergency Alert System;)	EB Docket No. 04-296
)	
Independent Spanish Broadcasters Association,)	
the Office of Communications of the United)	
Church of Christ, Inc., and the Minority Media)	
and Telecommunications Council, Petition for)	
Immediate Relief)	
)	
Randy Gehman Petition for Rulemaking)	

COMMENTS OF PROMETHEUS RADIO PROJECT

Prometheus Radio Project ("Prometheus") respectfully submits these comments in response to the Commission's Third Further Notice of Proposed Rulemaking ("Third Further Notice") seeking comment on proposed changes to the Part 11 rules governing the Emergency Alert System ("EAS"). In these comments, Prometheus recommends that the Commission allow the use of intermediary devices to receive Common Alerting Protocol ("CAP") messages, extend the deadline for CAP compliance to 360 days beyond the implementation of certification requirements, and consider further case-by-case extensions for EAS participants without IP connectivity.

I. ALLOW THE USE OF INTERMEDIARY DEVICES TO MEET CAP OBLIGATIONS

In the Third Further Notice, the Commission seeks comment on whether EAS participants should be allowed to meet their CAP-related obligations through the use of intermediary devices which receive CAP messages and convert them to EAS Protocol. Prometheus recommends that the Commission allow the use of such intermediary devices, in conjunction with legacy EAS units, as an alternative to all-in-one CAP-compliant units. Intermediary devices are currently available at prices substantially lower than the cost of all-in-one CAP-compliant units¹, representing a significant savings to participants. EAS

¹ "EAS Receiver Feature Sets", Broadcast Warning Working Group, updated June 2011.
<http://eas.radiolists.net/info/EASBoxes-1.pdf>.

encoders and decoders are among the most durable equipment used in broadcast studios, and requiring participants to replace them prematurely would waste money, labor, and materials.

II. EXTEND THE CAP COMPLIANCE DEADLINE TO 360 DAYS BEYOND THE IMPLEMENTATION OF EQUIPMENT CERTIFICATION REQUIREMENTS

The Commission also seeks comment on whether to extend the current September 30th, 2011 deadline for CAP-compliance, and what event, if any, should trigger the time period for compliance. Prometheus recommends that the Commission extend the deadline to 360 days beyond the effective date of any new EAS certification requirements. Without an extension, participants will be forced to buy equipment without a guarantee that it will meet future certification requirements. If the equipment is not in compliance with the eventual requirements, participants will have to buy replacement equipment. For many smaller, volunteer-run radio stations, the cost to buy a new EAS unit with few sources of grant money available is a significant burden already. For example, of 40 low power FM stations recently contacted by Prometheus, approximately 30% reported having an annual budget of less than \$3000 (the approximate cost of a new CAP-compliant EAS decoder). The requirement to purchase new equipment on short notice is unreasonable, and a requirement to buy new equipment twice could be devastating. Without a deadline extension, some small stations may be unable to meet the compliance requirement in time and go off the air to avoid non-compliance fees, which will reduce the capacity of the legacy EAS system while failing to increase CAP compliance.

An extension of 360 days beyond the implementation of certification requirements will allow 180 days for equipment manufacturers to certify equipment and another 180 days for participants to choose models, order, install, and test equipment, and train users to operate it. The deadline extension will also allow participants more time to raise funds to cover the expenses of new equipment. Prometheus believes that any extension that provides less time than this is insufficient.

III. CONSIDER FURTHER CASE-BY-CASE EXTENSIONS FOR PARTICIPANTS WITHOUT IP CONNECTIVITY

The Commission also asks whether there are additional factors to take into consideration in establishing a new deadline. Prometheus observes that some broadcasters do not have IP connectivity at the location where the EAS unit operates. In some rural locations, obtaining connectivity will be costly and require building new infrastructure. Prometheus recommends that regardless of whether the September 30th, 2011 CAP-compliance deadline is extended, the Commission consider granting additional waivers on a case-by-case basis for participants who face obstacles to obtaining IP connectivity.

Respectfully submitted,

_____/s/_____

Margaret Avenier, CBRE, CBNT

Technical and Training Organizer

Prometheus Radio Project

P.O. Box 42158

Philadelphia, PA 19101

maggie@prometheusradio.org

(215) 727-9620 ext. 503